UNITED STATES PATENT AND TRADEMARK OFFICE

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10/705,555	11/10/2003	Attila Barta	RSW920030177US1	5498

51016 7590 08/10/2007	EXAMINER
IBM CORP. (RALEIGH SOFTWARE GROUP)	WEI, ZHENG
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/705,555	BARTA ET AL.
	Examiner	Art Unit	
	Zheng Wei	2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>21 May 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,2,4-13,15-24 and 26-33</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) <u>1,2,4-13,15-24 and 26-33</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>21 May 2007</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Remarks

1. This office action is in response to the amendment filed on 05/21/2007.

2. Claims 3, 14 and 25 have been canceled.

3. Claims 1, 4, 12, 15, 23 and 26 have been amended.

4. The objection to the specification is withdrawn in view of the Applicant's amendment.

5. The objection to the drawing is withdrawn in view of the replacement see of Fig.3

6. The 35 U.S.C. 112 second paragraph rejections of claims 3, 4, 14, 15, 25 and 26 are withdrawn in view of the Applicant's amendment and cancellation of claims 3, 4 and 25.

7. Claims 1, 2, 4-13, 15-24, 26-33 remain pending and have been examined.

Response to Arguments

8. Applicant's amendment filed on 05/21/2007, in particular on page 15, has been fully considered but they are not persuasive. For example:

    ▪ At page 15, paragraph 4, the Applicant submits that the amended claims distinguish over Zimniewicz because Zimniewicz does not disclose the limitation of claim 3. However, the Examiner respectfully disagrees. As to previous Office action, page number 9, the claim 3 rejection was made based on Zimniewwicz's disclosure in view of Bourke-Dunphy as the Examiner cited

thereon. The Applicant only incorporated the limitations of claim 3 into claim 1 which are previous rejected by Zimniewicz. Therefore the reference, Zimniewiez and Bourke-Dunphy together, is indeed teaching the amended claimed limitation, and thus a new ground of rejection is applied over Zimniewiez in view of Bourke-Dunphy.

- At page 15, paragraph 5, the Applicant submits that the amended claims distinguish over Zimniewicz in view of Bourke-Dunphy because neither reference discloses a user preference log. However, the Examiner respectfully disagrees. Zimniewicz, at col.6, lines 34-49, discloses a "setup database file(setup.sdb)" which can be used to save configuration information; also see col.7, lines 27-29, "The UI Manager 91 may also display any customized pages identified in the setup.sdb file during the installation and setup of the suite". Thus, it is clear that the customized page(user's selected preference) can be logged (setup.sdb) and used during installation. Therefore, the Examiner asserts that Zimniewicz, does disclose the feature "user preference log" in amended claim.

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10.   Claims 1-2, 4-13, 15-24 and 26-33 are rejected under 35 U.S.C. 103(a) as being

unpatentable over <u>Zimniewicz</u> (Zimniewicz et al., US 6,744,450 B1) in view of

<u>Bourke-Dunphy</u> (Bourke-Dunphy et al., US 6,918,112 B2).

Claim 1:

<u>Zimniewicz</u> discloses a method, system (see for example, Fig.1 and related text)

and computer program product (see for example, col.5, lines 28-36) for installing

software components, comprising:

- Initiating installation of components (see for example, Fig.3, steps 86, 88,

  "Load Setup.sdb", "Call UI Manager to Display Startup Screens" and related

  text);

- selecting a level of detail to be reported regarding the status of components

  being installed (see for example, Fig.4b, steps 140-142, "Display Scenario

  Selection Screen", "Receive User Scenario Selection" and related text);

- generating a report regarding status installation progress of the components

  being installed (see for example, Fig.4c, step 170, "Display Programs Screen"

  and related text, also see col.11, lines 42-43, "During this process, an

  installation-progress page is provided 170.");

- displaying that portion of the report identifying the components at the selected

  level of detail and their corresponding installation progress status (see for

  example, Fig.4c, step 170, "Display Programs Screen" and related text, also

see col.11, lines 42-43, "During this process, an installation-progress page is

provided 170."); and

- recording a user's selected preference for a level of granularity in a log

  (setup.sdb) and when the user participates in a subsequent installation, using

  the level in the log as default level (see for example, col.6, lines 34-49, "setup

  database file (setup.sdb)" and related text; also see Fig.4a-4Bsteps 138, 140,

  144 and related text).

but does not explicitly disclose the method comprising grouping each component

with other components having plurality numbers of dependent components,

those components having more dependencies being in a higher group and those

components having fewer dependencies being in a lower group. However,

Bourke-Dunphy in the same analogous art of system and method to facilitate

installation of components discloses grouping dependent components (see for

example, col.3, lines 38-40, "defines the interdependencies for the set of

components associated with the given installation", also see col.3, lines 42-44,

"each component requires concurrent installation of all higher-level components

that connect that component to the base level of the tree"). Therefore, it would

have been obvious to one having ordinary skill in the art at the time the invention

was made to group the interdependent components together for installation. One

would have been motivated to do so to ensure proper component dependency as

suggested by Bourke-Dunphy (see for example, col.3, lines 48-49, "to ensure

proper component dependency")

Claim 2:

Zimniewicz and Bourke-Dunphy disclose the method of claim 1, Zimniewicz

further discloses the method comprising accessing a semantic model, the

semantic model comprising an indication of a dependency of a component to be

installed upon any other component (see for example, Fig.2, element 85,

"Dependency Manager" and related text).

Claim 4:

Zimniewicz and Bourke-Dunphy disclose the method of claim 1, Bourke-Dunphy

further discloses wherein:

- each grouping corresponds to a selectable level of detail (see for example,

   Fig.2, elements 54, 56, 58 "components A, B, C" and element 60 "Group 1";

   and related text);

- displaying the portion of the report comprises displaying the components in

   the group corresponding to the selected level of detail and the components in

   groups higher than the group corresponding to the selected level of detail

   (see for example, Fig.4, column 204 "Application Package" and related text).

Therefore, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to further combine Bourke-Dunphy's teachings

in Zimniewicz's method of report/display installation information. One would have

been motivated to do so to display all of the option and information the user has

selected for final approval as suggested by Zimniewicz (see for example, col.11, lines 23-25")

Claim 5:

Zimniewicz and Bourke-Dunphy disclose the method of claim 1, Zimniewicz further discloses, wherein generating the report comprises generating a tree-like structure having at a highest level branch those components to be installed with the greatest number of dependent components and having at a lowest level branch those components to be installed with the fewest number of dependent components (see for example, Fig.6, element 234 and related text, also see col.13, lines 19-40 about tree structure of parent and child components).

Claim 6:

Zimniewicz and Bourke-Dunphy disclose the method of claim 1, Zimniewicz further discloses the method of claim 5, wherein displaying the portion of the report comprises displaying the branches of the tree-like structure corresponding to the selected level of detail and those branches having a higher level (see for example, col.12, lines 54-57, "The UI utilizes a directory tree structure to display components and their sub-components.").

Claim 7:

Zimniewicz and Bourke-Dunphy disclose the method of claim 1, Zimniewicz

further discloses, wherein selecting a level of detail comprises accessing a log

file (setup database file) for a user, the log file including a user-selected detail

level preference (see for example, col.6, lines 42-43, "setup database file

(setup.sdb)").

Claim 8:

Zimniewicz and Bourke-Dunphy disclose the method of claim 1, Zimniewicz

further discloses, wherein selecting a level of detail comprises accessing a log

file for a user (see for example, col.6, lines 42-43, "setup database file

(setup.sdb)"), the log file including a detail level generated form past selections

by the user (see for example, col.11, lines 24-26, "All of the options and

information the user has selected is displayed for final approval 162", also see

Fig.5-Fig.9 and related text. Thus, the user can navigate back to modify any of

his or her selection from these screens).

Claim 9:

Zimniewicz and Bourke-Dunphy disclose the method of claim 1, Zimniewicz

further discloses, wherein displaying the status of installation progress comprises

displaying each of a plurality of status characteristics with a different visual

indicator (see for example, Fig.4a, step 130, "Display Welcome Screens", Fig.4b,

step 140, "Display Scenario Selection Screen", Fig.4c, step 176, "Display Finish

Page" and related text).

Claim 10:

Zimniewicz further discloses the method of claim 9, wherein the different visual

indicators comprise different colors (see for example, col.3, lines 45-49, "Such as

check marks, color differences, highlight, etc")

Claim 11:

Zimniewicz further discloses the method of claim 9, wherein the status

characteristics are selected from the group comprising pending, in progress,

successfully completed and error (see for example, col.11, lines 46-50, "the

description text in the header of the progress screen update with the each

change in install stage").

Claims 12,13 and 15-22:

Claims 12, 13 and 16-22 are system version (see for example of Zimniewicz,

Fig.1 and related text) for performing the claimed method as in claims 1, 2 and 4-

11 addressed above, wherein all claimed limitation functions have been

addressed and/or set forth above and certainly a computer system would need to

run and/or practice such function steps disclosed by Zimniewicz and Bourke-

Dunphy. Thus, they also would have been obvious.

Claims 23, 24, 26-33:

Claims 23, 24 and 26-33 are computer program products version of the claimed

method, wherein all claimed limitation functions have been addressed in claims

1, 2 and 4-11 above respectively, wherein the method steps can be implemented

as computer program and can be practiced and /or stored on a computer

operable media (see for example of Zimniewicz, col.5, lines 28-36). Thus, they

also would have been obvious by the teachings of Zimniewicz and Bourke-

Dunphy..

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

12. Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office Action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in

37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed

within TWO MONTHS of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH shortened statutory

period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will

the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

13.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Zheng Wei whose telephone number is (571)

270-1059 and Fax number is (571) 270-02059. The examiner can normally be

reached on Monday-Thursday 8:00-15:00.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The

fax phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Any inquiry of a general nature of relating to the status of this application

or proceeding should be directed to the TC 2100 Group receptionist whose

telephone number is 571- 272-1000.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ZW

TUAN DAM
SUPERVISORY PATENT EXAMINER